

REGULATION 5131.7: WEAPONS AND DANGEROUS INSTRUMENTS

Comparison Chart

Section: Students

SUMMARY OF UPDATE

Summary of Update: *The regulation was updated to expand the list of prohibited weapons and dangerous instruments to include additional items that are listed in the law. The regulation was also updated to add headings for the Options regarding tear gas or tear gas weapons and to emphasize that for districts that allow students to bring tear gas or tear gas weapons to school, the student needs to either be accompanied by or have written consent, of a parent/guardian.*

CURRENT VERSION			REVISED VERSION	CSBA MODIFICATIONS and/or NOTES	
PARA	Section	Sub-Section	May 10, 2011		
1			Prohibited weapons and dangerous instruments include, but are not limited to:	No change	
	1		Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion.	Firearms: pistols, revolvers, shotguns, rifles, machineguns, "zip guns," "stun guns," tasers, cane guns, camouflaging firearms, and any other device from which is expelled through a barrel and capable of propelling a projectile by the force of an explosion or other form of combustion	
				2. Ammunition or reloaded ammunition	New sub-section added
	2		Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 3 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade.	3. Knives, razor blades, and box cutters: any dirks, daggers (or concealed dirks or daggers), cane swords, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade longer than 3-1/2 inches, folding knives with a blade that locks into place, switchblade knives, and razors with an unguarded blade	
	3		Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of	4. Explosive and/or incendiary devices: pipe bombs, time bombs, rockets or rocket	

		inflammable fluids, and other hazardous devices.	propelled projectile launchers, cap guns, bullets containing or carrying an explosive agent, containers of inflammable fluids, and other hazardous devices or concealed explosive substances	
	4	Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure or spring action, or any spot marker gun.	5. No change except numbering	
	5	Any other dangerous device, instrument or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon.	6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 16000-34370, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon	
	6	Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.	7. No change except numbering	
2		Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district.	No change	CSBA NOTE: The remainder of this administrative regulation is optional and provides a process for an employee to use when taking possession of a weapon or dangerous instrument from a student. Pursuant to Education Code 49334, a school employee who initially notifies a law enforcement agency about any person possessing an unauthorized weapon or dangerous instrument on campus may not be subject to any civil or administrative proceeding, including any disciplinary action, for doing so, notwithstanding any district policy or regulation to the contrary. The

				employee must follow any other requirements of district policy or regulation upon notifying the law enforcement agency. See BP 4158/4258/4358 - Employee Security for language regarding employee reports of adults possessing injurious objects.
3		In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation, and based upon this analysis, shall do one of the following:	In determining whether to take possession of the weapon or dangerous instrument, the employee shall use the employee's own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:	
	1	Confiscate the object and deliver it to the principal immediately	No change	
	2	Immediately notify the principal, who shall take appropriate action	No change	
	3	Immediately notify the local law enforcement agency and the principal	No change	CSBA NOTE: Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393, and as reflected in the accompanying board policy.
4		When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.	No change	

5		The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.	No change	
6		The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated.	No change	

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